

# EXHIBIT 1

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

|                                   |   |                            |
|-----------------------------------|---|----------------------------|
| IN RE NEW ENGLAND COMPOUNDING     | ) |                            |
| PHARMACY, INC. PRODUCTS LIABILITY | ) |                            |
| LITIGATION                        | ) |                            |
| <hr/>                             |   |                            |
| THIS DOCUMENT RELATES TO:         | ) | Dkt. No 1:13-md-2419 (RWZ) |
| <hr/>                             |   |                            |
| Suits Naming the Tennessee Clinic | ) |                            |
| Defendants                        | ) |                            |
| <hr/>                             |   |                            |

**[PROPOSED]**

**ORDER ON**  
***Motion of the United States***  
***for a Stay of Certain Depositions pending Resolution of Related Criminal***  
***Proceedings***

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Based on the entire record in this cause, particularly the *Motion of the United States for a Stay of Certain Depositions pending Resolution of Related Criminal Proceedings* (the “Motion”), the Response of the Tennessee Clinic Defendants to the Motion, and argument of counsel, the Court finds:

1. The United States has carried its burden to justify a stay of the depositions of all former NECC and MSM employees.
2. In balancing the interests of the litigants in the civil cases, the Court also orders that the expert discovery deadlines in this MDL for the Tennessee cases should be suspended indefinitely so that the criminal trial can occur and, if necessary, after the criminal trial, the depositions of NECC and MSM employees can occur.

3. The trial date for the first civil trial in this MDL is hereby stayed pending the conclusion of the criminal trial and, if necessary, completion of depositions of NECC and MSM employees.

4. The parties to the MDL can continue with any common discovery unrelated to NECC or MSM and are encouraged to meet and confer to decide what can be done, in an effort to continue the MDL moving forward while the stay is in effect.

5. The Motion as it relates to the Massachusetts Board of Pharmacy is denied because (1) the issue has already been decided and, (2) regardless, the United States did not carry its burden to demonstrate that a stay of the deposition of the Massachusetts Board of Pharmacy is justified.

It is so ORDERED.

Dated: \_\_\_\_\_

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HONORABLE RYA ZOBEL